

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

BRYAN P. SPENCE, individually and as a
representative of a class of similarly
situated, and on behalf of the AMERICAN
AIRLINES, INC. 401(k) PLAN and the
AMERICAN AIRLINES, INC. 401(k)
PLAN FOR PILOTS,

Plaintiff,

v.

AMERICAN AIRLINES, INC., et al,

Defendants.

Case No. 4:23-cv-00552-O

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Dee J. Kelly, Jr. (S.B. # 11217250)
Russell D. Cawyer (S.B. # 00793482)
KELLY HART & HALLMAN LLP
201 Main Street, Suite 2500
Fort Worth, Texas 76102
Tel: (817) 332-2500
Fax: (817) 335-2820
dee.kelly@kellyhart.com
russell.cawyer@kellyhart.com

Mark W. Robertson (*pro hac vice*)
(N.Y. Bar # 4508248)
Jeffrey A. N. Kopczynski (*pro hac vice*)
(N.Y. Bar # 4592267)
William D. Pollak (*pro hac vice*)
(N.Y. Bar # 4737037)
Charles J. Mahoney (*pro hac vice*)
(N.Y. Bar # 5502885)
O'MELVENY & MYERS LLP
7 Times Square
New York, NY 10036
Tel.: (212) 326-2000
Fax: (212) 326-2061

Brian D. Boyle (*pro hac vice*)
(D.C. Bar # 419773)
Shannon M. Barrett (*pro hac vice*)
(D.C. Bar # 476866)
O'MELVENY & MYERS LLP
1625 Eye Street, N.W.
Washington, D.C. 20006
Tel.: (202) 383-5300
Fax: (202) 383-5414
bboyle@omm.com
sbarrett@omm.com

*Attorneys for Defendants American Airlines,
Inc. and the Employee Benefits Committee*

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Northern District of Texas Local Rule 56.3, Defendants American Airlines, Inc. (“American”) and the American Airlines Employee Benefits Committee (collectively, “Defendants”) respectfully move for summary judgment as a matter of law on all claims asserted by Plaintiff Bryan P. Spence (“Plaintiff”) against Defendants and show the Court the following:

SUMMARY

Plaintiff, who is a participant in an American-sponsored 401(k) plan, alleges that (1) Defendants breached their fiduciary duties of loyalty and prudence in violation of ERISA § 404(a), and (2) Defendants are liable under ERISA §§ 405(a) and 409(a) for failing to adequately monitor other fiduciaries. Pursuant to Local Rule 56.3(b), Defendants set forth all matters required by Local Rule 56.3(a) in their concurrently filed Brief in Support of Motion for Summary Judgment and Appendix filed in Support of Motion for Summary Judgment.

Respectfully submitted,

Dated: February 26, 2024

/s/ Russell Cawyer

Mark W. Robertson (*pro hac vice*)
(N.Y. Bar # 4508248)
Jeffrey A. N. Kopczynski (*pro hac vice*)
(N.Y. Bar # 4592267)
William D. Pollak (*pro hac vice*)
(N.Y. Bar # 4737037)
Charles J. Mahoney (*pro hac vice*)
(N.Y. Bar # 5502885)
O’MELVENY & MYERS LLP
7 Times Square
New York, NY 10036
Tel.: (212) 326–2000
Fax: (212) 326–2061
mrobertson@omm.com
jkopczynski@omm.com
wpollak@omm.com
cmahoney@omm.com

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Russell D. Cawyer (S.B. # 00793482)
KELLY HART & HALLMAN LLP
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Fort Worth, Texas 76102
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Fax: (817) 335–2820
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Washington, D.C. 20006
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Fax: (202) 383-5414
bboyle@omm.com
sbarrett@omm.com

*Attorneys for Defendants American Airlines,
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CERTIFICATE OF SERVICE

On February 26, 2024, a true and correct copy of the foregoing document was served upon all persons who have requested notice and service of pleadings in this case via the Court's CM/ECF system.

/s/ Russell Cawyer

Russell Cawyer